

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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Neil W. Simonson,

Debtor.

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RESPONSE TO OBJECTION TO  
PROPERTY CLAIMED EXEMPT

BKY 04-61018

TO: MICHAEL J. FARRELL, CHAPTER 13 TRUSTEE, and other parties in interest.

Neil W. Simonson, Debtor, opposes the objection of the Chapter 13 trustee to property claimed exempt for the reasons more fully stated below:

1. Debtor filed his Chapter 13 petition on August 27, 2004. At the time of his filing, Debtor mistakenly believed that a 1994 Ford F-150 pickup truck was titled in his and his spouse's name. Debtor believes the present fair market value of the vehicle is \$4,975.

2. Subsequent to his Chapter 13 hearing on October 7, 2004, Debtor reviewed the certificate of title to the vehicle and determined that the vehicle is titled in Debtor's name only.

3. Pursuant to Minn. Stat. §550.37(12), Debtor is entitled to exempt one automobile not to exceed \$3,800.00 and not \$2,850.00 as alleged by the trustee.

4. Debtor will amend Schedule C of his Chapter 13 petition within 15 days of the date of the filing of this response to claim \$3,800.00 of the fair market value of the 1994 F-150 pickup truck as exempt pursuant to Minn. Stat. §550.37(12).

WHEREFORE, Debtor requests that the hearing be continued for sufficient time to permit the amendment of Schedule C as described above, or in the alternative, entry of an order allowing Debtor the exemption of \$3,800.00 of the fair market value of the Ford F-150 pickup truck pursuant to Minn. Stat. §550.37(12).

**/s/ Ian Traquair Ball**

Ian Traquair Ball #4285

Attorney for Debtor

326 Plymouth Building, Suite 326

12 South Sixth Street

Minneapolis, MN 55402

Tel: (612) 338-1313

Dated: October 18, 2004

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA**

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In re:

**CERTIFICATE OF  
SERVICE**

Neil W. Simonson,

BKY 04-61018

Debtor(s).  
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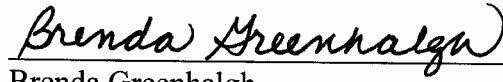
I, Brenda Greenhalgh, declare under penalty of perjury that on October 18, 2004,  
I mailed copies of the foregoing Response to Objection to Property Claimed Exempt to  
each entity named below at the stated addresses.

Michael J. Farrell  
Chapter 13 Trustee  
P.O. Box 519  
Barnesville, MN 56514

United States Trustee  
1015 US Courthouse  
300 South 4th Street  
Minneapolis MN 55415

Neil W. Simonson  
P.O. Box 653  
Morris, MN 56267

Dated: October 18, 2004

  
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Brenda Greenhalgh